

Exhibit 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

)
SNMP RESEARCH, INC. and SNMP)
RESEARCH INTERNATIONAL, INC.,)
)
Plaintiffs,)
)
vs.) Case No.
) 3:20-cv-00451-
) CEA-DCP
BROADCOM INC., BROCADE)
COMMUNICATIONS SYSTEMS LLC,)
and EXTREME NETWORKS, INC.,)
)
Defendants.)
-----)

HIGHLY CONFIDENTIAL
VIDEORECORDED DEPOSITION OF DANIEL DeBACKER
San Francisco, California
Wednesday, February 14, 2024
Volume I

Reported by:
CHRIS TE SELLE
CSR No. 10836
Job No. 6394359

PAGES 1 - 228

Page 1

1 specifically. 10:53:49

2 Q. Do you know why you were sending him this

3 information on the Brocade Extreme acquisitions?

4 A. Given the information here, Extreme letter

5 to customers, Extreme FAQ, so, Extreme letter to 10:54:10

6 costumers, the Extreme FAQ, the Ed Meyercord blog

7 and the Ed Meyercord interview, it would be to

8 inform the customer of the status of what's going to

9 happen, what's going on.

10 (Reporter clarification.) 10:54:36

11 Q. Did you inform any other customers?

12 A. I'm sure I did.

13 Q. In a similar manner?

14 MR. PRABHAKAR: Objection. Form.

15 THE WITNESS: Most likely. 10:54:53

16 (Exhibit 133 was marked for identification

17 by counsel.)

18 BY MR. WOOD:

19 Q. This will be 133. It's another Extreme

20 document, and there is an attachment, which we'll 10:55:24

21 mark 134.

22 (Exhibit 134 was marked for identification

23 by counsel.)

24 MR. PRABHAKAR: While counsel is marking the

25 document, I want to note for the record that 10:55:59

Page 77

1 Exhibits number 128, 129, and 130 were documents 10:56:03
2 with Broadcom Bates numbers, meaning that they were
3 produced by Broadcom and were marked outside counsel
4 eyes only. Those, under the PO, arguably, the
5 witness and other Extreme's counsel present in the 10:56:25
6 room, in-house counsel present in the room, do not
7 have permissions to see those documents.

8 Accordingly, for now, we have sequestered the
9 documents from the witness, and counsel for Extreme
10 and plaintiffs will follow up any procedure under 10:56:46
11 the PO later, but, for now, the witness hasn't seen
12 129 and 130 and is no longer in possession of them.

13 BY MR. WOOD:

14 Q. All right. So, 133 is Bates number
15 EXTREME-00690936, and then the attachment is 10:57:05
16 EXTREME-00690938.

17 So, this is a, the main document is a
18 meeting invitation from Stuart Smolen to Christopher
19 Remlin, Eric Broockman, Manjunath Gowda, Liz
20 Scandizzo, and Katy Motiey, with a copy, Jennifer 10:57:52
21 Sipes. It's dated August 9, 2017.

22 Who is Stuart Smolen, do you know?

23 A. I do not know.

24 Q. Christopher Remlin?

25 A. I do not know that name either. 10:58:12

Page 78

1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

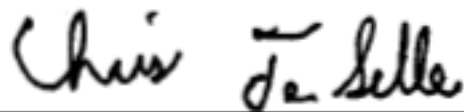
4 That the foregoing proceedings were taken
5 before me, at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were duly sworn; that a record
8 of the proceedings was made by me using machine
9 shorthand which was thereafter transcribed under my
10 direction; that the foregoing transcript is a true
11 record of the testimony given.

12 Further, that if the foregoing pertains to the
13 original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review
15 of the transcript [] was [] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or party to this action.

19 IN WITNESS WHEREOF, I have this date subscribed
20 my name.

21
22 Dated: February 19, 2024

23 
24

CHRIS TE SELLE

25 CSR No. 10836